

# Legislative Fiscal Bureau

## Fiscal Note

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SF 2283 - Judicial Administration (LSB 5347 SV)  
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Fiscal Note Version - New

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### **Description**

Senate File 2283 concerns procedures, duties, and fees related to the Judicial Branch. The Bill also provides for a legislative study of the Clerk of Court offices. The Bill includes:

1. The Chief Justice being able to order a delay of 180 days in the filling of magistrate or judge vacancies for budgetary reasons.
2. Eliminates the requirement for a Clerk of Court official in each county.
3. Eliminates part-time District Associate Judges who presently cover weekend duty, vacation, or sick leave. Full-time judges would make up the difference.
4. Increases the minimum amount of judgment that may be written off by the Judicial Branch for purposes of satisfying a judgment from \$1 or less to \$3 or less.
5. Establishes two levels of filing fees for simple misdemeanors: \$8 for parking violations and \$20 for all other simple misdemeanors.
6. Amends the Court Technology and Modernization Fund changing the allocation from 80% technology, 10% alternative dispute resolution programs, and 10% domestic abuse programs to allowing the Court to determine amounts and where they are expended.
7. Establishes the mailing fee at \$7, which is approximately the current cost.

### **Assumptions**

1. The chart below shows the average judicial salaries and benefits for FY 2002 for various Judicial Branch positions. Payouts such as vacation balances would reduce savings to the extent these types of payments are made regarding vacant positions.

#### **Average Iowa Judicial Salaries and Benefits**

Chief Justice of the Supreme Court	\$	133,767
Supreme Court Justice		131,702
Chief Judge of the Court of Appeals		131,779
Associate Judge of the Court of Appeals		127,375
Chief Judge of a Judicial District		126,324
District Judge		121,532
District Associate Judge		107,590
Associate Juvenile Judge		107,590
Associate Probate Judge		107,590
Judicial Magistrates		33,309
Senior Judges		6,680

2. The average cost for a Clerk of Court is \$47,400. If the Judicial Branch would eliminate Clerk of Court positions in various counties, there would be salary savings, however, the amount cannot be determined.
3. The cost for one District Associate Judge including salary and benefits would be \$107,590. Eliminating weekends, vacation, and sick leave coverage by these positions would be a salary savings to the Court but would be offset by requiring regular judges to

cover vacation, weekend, and sick leave. The Judicial Branch eliminated funding for Alternate District Associate Judges during the 4.3% across-the-board reduction in the Second Extraordinary Special Session. The Judicial Branch spent \$56,000 in FY 2001 and \$17,000 in FY 2002 on these positions.

4. The cost to increase the minimum amount of a judgment that may be written off remains unpaid (from \$1 to \$3) cannot be determined.
5. The Bill would increase certain parking violations from \$1 to \$8 and scheduled violations where a court appearance is not required from \$15 to \$20. The Bill would decrease nonscheduled simple misdemeanors where a court appearance is required from \$25 to \$20. The approximate revenue increase to the General Fund in FY 2003 would be \$2.1 million and for FY 2004 would be \$2.2 million.
6. The FY 2003 budgeted receipts for the Court Technology and Modernization Fund are as follows:

ICIS – Court Technology (80%)	\$ 800,000
Mediation (10%)	100,000
Domestic Abuse (10%)	100,000
Total	<u>\$1,000,000</u>

7. The disbursements based on FY 2003 budgeted receipts for the Court Technology and Modernization Fund are as follows:

Salaries/Expenses – P.C. Specialists	\$ 550,000
Electronic Legal Research	71,000
Domestic Abuse	83,000
Alternate Dispute Resolution	82,000
Total	<u>\$ 786,000</u>
Balance Forward	<u>\$ 214,000</u>

Senate File 2283 would eliminate the requirement of 80%, 10%, and 10% that is reflected under the receipts section above.

8. Increasing the mailing fee to \$7 would reflect current practice, and therefore, would be revenue neutral.

### **Fiscal Impact**

The Fiscal Impact of SF 2283 would be as follows:

	<u>FY 2003</u>	<u>FY 2004</u>
Holding Open – Judge/Magistrate Positions	Unknown	Unknown
Holding Clerk of Court Positions	Unknown	Unknown
Judgment Write Off	Unknown	Unknown
Parking Violation/Misdemeanors	\$2.1 million	\$0.2 million

Senate File 2283 would result in increased revenues to the General Fund from parking violations and other misdemeanor fines of \$2.1 million in FY 2003 and \$2.2 million in FY 2004.

### **Source**

Judicial Branch

/s/ Dennis C Prouty

March 13, 2002

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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